

ORIGINAL

Lance J.M. Steinhart, P.C.
1720 Windward Concourse
Suite 115
Alpharetta, Georgia 30005



Also Admitted in New York
and Maryland

Telephone: (770) 232-9200
Facsimile: (770) 232-9208
Email: lsteinhart@telecomcounsel.com

January 26, 2010

VIA OVERNIGHT DELIVERY

Docket Control
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-2237

Re: Velocity The Greatest Phone Company Ever, Inc.
Docket No. T-20686A-09-0306

2010 JAN 28 A 10:42
RECEIVED
DOCKET CONTROL

Dear Sir/Madam:

Enclosed please find for filing an original and thirteen (13) copies of Velocity The Greatest Phone Company Ever, Inc.'s responses to the Commission's request for information in Velocity The Greatest Phone Company Ever, Inc.'s Application and Petition for Certificate of Public Convenience and Necessity to Provide Competitive Resold Local Exchange and Resold Long Distance Telecommunications Services.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope.

If you have any questions or if I may provide you with additional information, please do not hesitate to contact me.

Respectfully submitted,

Lance J.M. Steinhart
Attorney for Broadvox-CLEC, LLC

Arizona Corporation Commission

DOCKETED

JAN 28 2010

DOCKETED BY	
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cc: Judi Reed

Michael W. Patten, Esq. -- Via email

Kiana Sears, Utilities Division -- Via email to: ksears@azcc.gov

**ARIZONA CORPORATION COMMISSION
STAFF'S FIRST SET OF DATA REQUESTS FOR
VELOCITY THE GREATEST PHONE COMPANY EVER, INC. ("VELOCITY")
Docket No. T-20686A-09-0306
January 26, 2010**

KMS 1-1 Please clarify the names and titles of the offers within Velocity. In your application, N. Stevens Newcomer and William Werner are both identified as Secretary. Please also clarify whether Chip Werner and William Werner are the same people.

RESPONSE: William Werner is now the Corporate Secretary. Chip Werner and William Werner are one and the same person.

All Contacts Providing Information/Response for the above question:

Chip Werner, Vice President-Operations
7130 Spring Meadows West Drive, Holland, Ohio 43528
E-Mail: cwerner@velocity.org
Telephone Number: (419) 868-9983

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KMS 1-2 Please identify the years of experience in the telecommunications services industry for each of the three Directors listed in Velocity's response to item A-8(2) of its Application.

RESPONSE: Gregory Kiley has 22 years, William Werner has 10 years and Edward J. Kiley, Jr. has 5 years of telecommunications services industry experience.

All Contacts Providing Information/Response for the above question:

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KMS 1-3 (Don't need this one as a company identified states in A-18, unless you found other states that weren't listed.)

RESPONSE: No response. Unsure of Commission question.

All Contacts Providing Information/Response for the above question:

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KMS 1-4 In Velocity's Arizona CC Tariff No. 1, it has a carrier cost recovery charge in section 4.9. Staff does not support recurring fees. If Velocity desires to charge fees for the TelRelay service, number portability, and a Federal regulatory fee, those items must be listed separately for each amount rather than as a lump sum such as the \$.99 listed in the proposed tariff. Please provide a revised tariff page reflecting any changes.

RESPONSE: Please see attached revised replacement tariff page.

All Contacts Providing Information/Response for the above question:

Chip Werner, Vice President-Operations
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4.7 Payphone Dial Around Surcharge

A dial around surcharge of \$.60 per call will be added to any completed intrastate toll access code and subscriber toll-free 800/888 type calls placed from a public or semi-public payphone.

4.8 Universal Service Fund Assessment & Presubscribed Interexchange Carrier Charge

The Customer will be assessed a monthly Universal Service Fund Contribution charge on all telecommunications services, which in no event shall be less than the prevailing contribution percentage rate charged the Company on intrastate traffic by the Universal Service Administrative Company (or any successor) or any state agency or its administrator. A Presubscribed Interexchange Carrier Charge ("PICC") applies on a monthly basis to all Customer monthly bills at the prevailing rate.

ISSUE DATE: June 4, 2009

ISSUED BY:

Gregory Kiley, President
7130 Spring Meadows West Drive
Holland, Ohio 43528

EFFECTIVE DATE:

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KMS 1-5 Please describe Velocity's plan for providing customer service to its customers in Arizona. Is Velocity planning to have a customer service center in Arizona? Is Velocity planning to have employees in Arizona? If so, indicate how many employees.

RESPONSE: Velocity had no current plans to have a customer service center in Arizona. Velocity has no current plans to have employees in Arizona.

All Contacts Providing Information/Response for the above question:

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KMS 1-6 In Velocity's Arizona's Tariff No. 2, on original page 107, at 7.2.1, and original page 108, at 7.2.2, ICB rates are listed for the monthly recurring and non-recurring charges. The Arizona Corporation Commission requires rates for all services within a Company's tariff regardless of the company's intention to offer ICBs. Please review, make the appropriate corrections, and file replacement tariff pages for original page 107 and 108 in Velocity's Arizona's Arizona Tariff No. 2.

RESPONSE: Please see attached revised replacement tariff page.

All Contacts Providing Information/Response for the above question:

Chip Werner, Vice President-Operations
7130 Spring Meadows West Drive, Holland, Ohio 43528
E-Mail: cwerner@velocity.org
Telephone Number: (419) 868-9983

SECTION 7 – ADVANCED SERVICES**7.2 Advanced Service Packages****7.2.1 ISDN PRI Service with Unlimited Local Calling**

ISDN PRI offers an array of value-added features, such as calling number identification and call-by-call selection that enhance productivity. ISDN PRI is configured with 23 64 Kbps bi-directional B (Bearer) channels and one 64 Kbps D (Data) channel. Unique to ISDN PRI is its ability to designate the D channel to handle all of the signaling and call control requirements and leave the remaining 23 B channels free for any mix of circuit-switched voice and data.

Each of these products is offered under a 12, 24 or 36 month term agreement. Rates include unlimited local calling for sent-paid, directly dialed calls. Rates do not include calling card calls, information type calls to Time and Weather, 555, 700, 900, 976 Services, Directory Assistance or any other type of Operator Handled call.

ISDN PRI includes the following non-optional Feature Package: Inbound Calling Line ID-Name & Number and Call by Call Selection.

Regional Toll and Long Distance Services must be PIC'd to the Company. These rates are in addition to ISDN PRI and DS1 rates below.

Monthly Recurring Charges

	Monthly Recurring Charge		
	12 Months	24 Months	36 Months
	\$2,000.00	\$1,800.00	\$1,600.00

Non-Recurring Charges

	Non-Recurring Charge		
	12 Months	24 Months	36 Months
First Line	\$1,000.00	\$900.00	\$800.00
Each Add'l Line	\$1,000.00	\$900.00	\$800.00
Expedite Service Charge ¹ SBC/Pacific Bell	Per DS1 \$250.00		
Order Supplement Charge ²	First Change \$200.00	Subsequent Change \$150.00	
Order Cancellation Charge	Per DS1 \$500.00		

¹ Expedite Service Charges apply when customer requests installation of service in less time than normal installation interval of 30 business days.

² Order Supplement Charges apply when a change of the Requested Service Date is requested by customer. A change of requested service date must be within 30 days of the previous requested service date. In no event will the Company be obligated to accept more than three (3) changes to a requested service date. The service will be deemed canceled upon the fourth (4) such request and applicable Order Cancellation Charges will apply.

Issued: June 4, 2009

Issued by:

Effective: , 2009

Gregory Kiley
President

7130 Spring Meadows West Drive
Holland, Ohio 43528

SECTION 7 – ADVANCED SERVICES**7.2 Advanced Service Packages, (Cont'd.)****7.2.2 Digital DS-1 PBX Service with Unlimited Local Calling**

This service provides a trunk side DS1 electrical interface from the customer's digital PBX system to a digital port on a local Company switch for the origination and termination of calls. Traffic to and from the digital PBX can be received or dialed directly from any PBX station without the need for an attendant.

These digital trunks deliver a high-speed DS1 (T1) connection between your PBX and the Company network. There are up to 24 channels on one facility, each of which can be used to place or receive calls. This multi-channel capability dramatically reduces the need for additional PBX circuit cards.

Each of these products is offered under a 12, 24 or 36 month term agreement. Rates include unlimited local calling for sent-paid, directly dialed calls. Rates do not include calling card calls, information type calls to Time and Weather, 555, 700, 900, 976 Services, Directory Assistance or any other type of Operator Handled call.

Regional Toll and Long Distance Services must be PIC'd to the Company. These rates are in addition to ISDN PRI and DS1 rates below.

Monthly Recurring Charges

Monthly Recurring Charge			
12 Months	24 Months	36 Months	
\$2,000.00	\$1,800.00	\$1,600.00	

Non-Recurring Charges

Non-Recurring Charge			
	12 Months	24 Months	36 Months
First Line	\$1,000.00	\$900.00	\$800.00
Each Add'l Line	\$1,000.00	\$900.00	\$800.00
Expedite Service Charge ³ SBC/Pacific Bell	Per DS1 \$250.00		
Order Supplement Charge ⁴	First Change \$200.00	Subsequent Change \$150.00	
Order Cancellation Charge	Per DS1 \$500.00		

³ Expedite Service Charges apply when customer requests installation of service in less time than normal installation interval of 30 business days.

⁴ Order Supplement Charges apply when a change of the Requested Service Date is requested by customer. A change of requested service date must be within 30 days of the previous requested service date. In no event will the Company be obligated to accept more than three (3) changes to a requested service date. The service will be deemed canceled upon the fourth (4) such request and applicable Order Cancellation Charges will apply.

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KMS 1-7 Please provide clarification regarding Velocity's returned check charge. In Arizona CC Tariff No. 1, on Original Sheet 20, there is a fee of \$25.00 stated as the return check charge. In Arizona CC Tariff No. 2, on Original Sheet 31, there is a returned a check charge listed as \$35.00. Is there a reason that Velocity intends to charge customers more in one Tariff then the other? If it is an oversight, please provide a revised tariff page in the appropriate tariff to reflect the correct amount.

RESPONSE: Please see attached revised replacement tariff page.

All Contacts Providing Information/Response for the above question:

Chip Werner, Vice President-Operations
7130 Spring Meadows West Drive, Holland, Ohio 43528
E-Mail: cwerner@velocity.org
Telephone Number: (419) 868-9983

SECTION 2.0 - REGULATIONS, (CONT'D.)**2.5 Payment Arrangements, (Cont'd.)****2.5.2 Billing and Collection of Charges, (Cont'd.)**

- C. When service does not begin on the first day of the month, or end on the last day of the month, the charge for the fraction of the month in which service was furnished will be calculated on a pro rata basis. For this purpose, every month is considered to have thirty (30) days.
- D. Billing of the Customer by the Company will begin on the Service Commencement Date, which is the first day following the date on which the Company notifies the Customer that the service or facility is available for use, except that the Service Commencement Date may be postponed by mutual agreement of the parties, or if the service or facility does not conform to standards set forth in this tariff or the Service Order. Billing accrues through and includes the day that the service, circuit, arrangement or component is discontinued.
- E. If any portion of the payment is not received by the Company, or if any portion of the payment is received by the Company in funds that are not immediately available, within twenty (20) days of the mail date on the bill, then a late payment penalty shall be due the Company. The late payment penalty shall be that portion of the payment not received by the date due minus any charges billed as local taxes multiplied by 1.5%.
- F. The Customer will be assessed a *maximum* charge of twenty-five (\$25.00) for each check or other payment type submitted by the Customer to the Company that a bank or financial institution refuses to honor. See Section 10, Page 9 for current charges.
- G. If service is disconnected by the Company in accordance with Section 2.5.6 following and later restored, restoration of service will be subject to all applicable installation charges.

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KMS 1-8 In Velocity's the Arizona Tariff No. 2, on Original Page 64, 4.3.5 (A), The Local Business Line monthly rate in service connection fees appear to be excessive compared to their rates offered by the incumbent local exchange provider ("ILEC"). Velocity's rates are approximately four times the rate of the ILEC (\$120 verses \$30.40 and \$200 verses \$42.50). The PBX monthly rates also demonstrate the same price differences. Staff recommends that Velocity file revised rates that are more in line with the ILEC.

RESPONSE: Please see attached revised replacement tariff page.

All Contacts Providing Information/Response for the above question:

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7130 Spring Meadows West Drive, Holland, Ohio 43528
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SECTION 4.0 - BASIC SERVICES AND RATES, (CONT'D.)**4.3 Network Exchange Bundled Service, (Cont'd.)****4.3.5 Business A La Carte Service**

Business A La Carte service is targeted at small business Customers and provides options based on the Customers calling patterns and estimated usage. Customers who subscribe to this service must designate Velocity as the presubscribed carrier for local calling concurrent with enrollment for this service. Business A La Carte provides Customers with the option of selecting Velocity for toll services.

A. Local Exchange Service**.1 Local Access Line**

	Maximum
Local Business Line	
Monthly Rate	\$40.00
Service Connection Fee, one-time charge per line ¹	
Per Line	\$50.00

.2 PBX

	Maximum
Monthly Rate	\$40.00
Service Connection Fee, one-time charge per line ¹	
Per Line	\$50.00

¹ Service Connection fee is waived for those customers who retain their existing telephone number when switching their service to Velocity. The charge will apply if additional lines are transferred to Velocity after the initial order.

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KMS 1-9 In Velocity's Arizona Tariff No. 2, on Original Page 81, at 5.5 Velocity's maximum proposed a public telephone surcharge per call is listed as \$1.00. The commission's current policy allows a maximum per call rate of \$0.60. Therefore, it is recommended that a replacement page the proposed Tariff be filed containing the lesser maximum rate. In addition the current proposed rate listed on original page 123, at 10.2.5 is listed at \$0.75. This amount should also be adjusted accordingly by filing a replacement tariff page.

RESPONSE: Please see attached revised replacement tariff page.

All Contacts Providing Information/Response for the above question:

Chip Werner, Vice President-Operations
7130 Spring Meadows West Drive, Holland, Ohio 43528
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SECTION 5.0 - MISCELLANEOUS SERVICES AND RATES, (CONT'D.)**5.5 Public Telephone Surcharge**

In order to recover the Company's expenses to comply with the FCC's pay telephone compensation plan effective on October 7, 1997 (FCC 97-371), an undiscountable per call charge is applicable to all intrastate calls that originate from any pay telephone, not presubscribed to the Company, used to access Company provided services. This surcharge, which is in addition to standard tariffed usage charges and any applicable service charges and surcharges associated with service, applies for the use of the instrument used to access Company provided service and is unrelated to the service accessed from the pay telephone.

Pay telephones include coin-operated and coinless phones owned by local telephone companies, independent companies and interexchange carriers. The Public Pay Telephone Surcharge applies to the initial completed call and any reoriginated call. The Public Pay Telephone Surcharge does not apply to calls placed from pay telephones at which the Customer pays for service by inserting coins during the progress of the call.

Whenever possible, the Public Pay Telephone Surcharge will appear on the same invoice containing the usage charges for the surcharged call. In cases where proper pay telephone coding digits are not transmitted to the Company prior to completion of a call, the Public Pay Telephone Surcharge may be billed on a subsequent invoice after the Company has obtained information from a carrier that the originating station is an eligible pay telephone.

Maximum Rate Per Call: \$.60

Issued: June 4, 2009
Issued by:

Gregory Kiley
President
7130 Spring Meadows West Drive
Holland, Ohio 43528

Effective: , 2009

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KMS 1-10 Please indicate why you believe that your range of rates is just and reasonable using a competitive market analysis. Your analysis should contain publicly available examples of tariff rates and charges charged by the incumbent and other carriers for similar services. Please provide actual tariff pages and use the attached matrix format to show your actual proposed tariff rates and charges. Then show each competitors tariff rates and charges for compatible Telecommunications Services. At a minimum, show tariff information of Qwest and two other competitors in Arizona. The material you provide that should enable staff to determine whether the tariff rates and charges of the applicant are *just and reasonable compared to other competitors* offering the same or similar Telecommunications Services in Arizona. (see Attachments A & B - By Competitor) (For the Applicant's ease, an excel file can be provided by contacting Kiana M. Sears at Ksears@azcc.gov).

RESPONSE: Velocity has no market power and that the reasonableness of its rates will be evaluated in a market with numerous competitors.

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KMS 1-11 Please identify all other states/jurisdictions in which the company or an affiliate provides Telecommunications Services. Please specify, in the attached matrix format, the tariff rates and charges that the company and/or affiliate charges for Telecommunications Services in these other jurisdictions. If there is a difference between the tariff rates and charges that the company will charge in Arizona and the tariff rates and charges that the company and/or affiliate charges and other jurisdictions for Telecommunications Services; please explain why you are charging different tariff rates and charges in Arizona. The material you provide should enable staff to determine whether these rates and charges are compatible to the tariff rates and charges charged in other jurisdictions. Please include information regarding pending applications as well. (For the Applicant's ease, an excel file can be provided by contacting Kiana M. Sears at Ksears@azcc.gov).

RESPONSE: Velocity has no market power and that the reasonableness of its rates will be evaluated in a market with numerous competitors.

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KMS 1-12 In any of Velocity's responses in its original application filed on June 8, 2009 have changed, please provide updated responses.

RESPONSE: No responses have changed since its original application filed on June 8, 2009.

All Contacts Providing Information/Response for the above question:

Chip Werner, Vice President-Operations
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E-Mail: cwerner@velocity.org
Telephone Number: (419) 868-9983